



April 22, 2004

Assistant Commissioner of Patents

Washington, DC 20231

**PROTEST UNDER 37 CFR 1.291(a)**

Re: Dynamic document context mark-up technique implemented over a computer network

US File # 20020120505

Filed: August 29, 2001

Sirs:

Recently I found the above referenced patent filing and believe this filing has NOT issued in the U.S. The US File # is 20020120505

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length an advertising delivery system using a database (0056) (0079) containing keywords (0007) and advertisements retained and maintained at the client level in cache or on disk (0075) (0076) in a client-server ad delivery system. (0007) (0032) This patent application relates to displaying advertising by matching voluntary user actions, i.e. keywords resulting directly from the user voluntarily selecting websites to visit (0007) or interfacing with another executable client program (0053) as triggers related to displaying advertising. Matching a trigger event in the "context analysis engine" (0067) makes a comparison with data in the remotely controlled and updated (0075) (0076) (0206) database and in the event a match is made, appropriate content or advertisement is displayed. This is referred to as "pull" advertising as a voluntary action on the part of a user interacts with a pre-established database and a targeted ad is displayed.

The abstract reads in part, "A technique is disclosed for generating markup information to be displayed on a client computer system. The client system includes memory configured to store at least one update file which comprises keyword information relating to keywords suitable for markup. In one implementation, the update file is generated at a remote server system and downloaded to the client system. When a new document (e.g. a web page) is displayed on the client system to an end user, selected context associated from the document is analyzed for selected keywords. In a specific implementation, the selected keyword information is provided by an entity other than the end user. Using the selected keyword information, specific context in the document is selected to be marked up. According to a specific embodiment, the selection of the document context to be marked up may be performed at the client system. Markup operations are then implemented at the client system on at least a

portion of the selected document context, thereby resulting in marked up document context which has a visual appearance that is different than the appearance of the initial parsed context. Additionally, a pop-up advertisement may be automatically displayed on the client system based upon the identified context in the document. When the user clicks on a portion of the marked up document context, the user may be redirected to a target URL which was not included as part of the initial parsed document context. Alternatively, a pop-up window or layer which includes a plurality of different links may be displayed to the user."

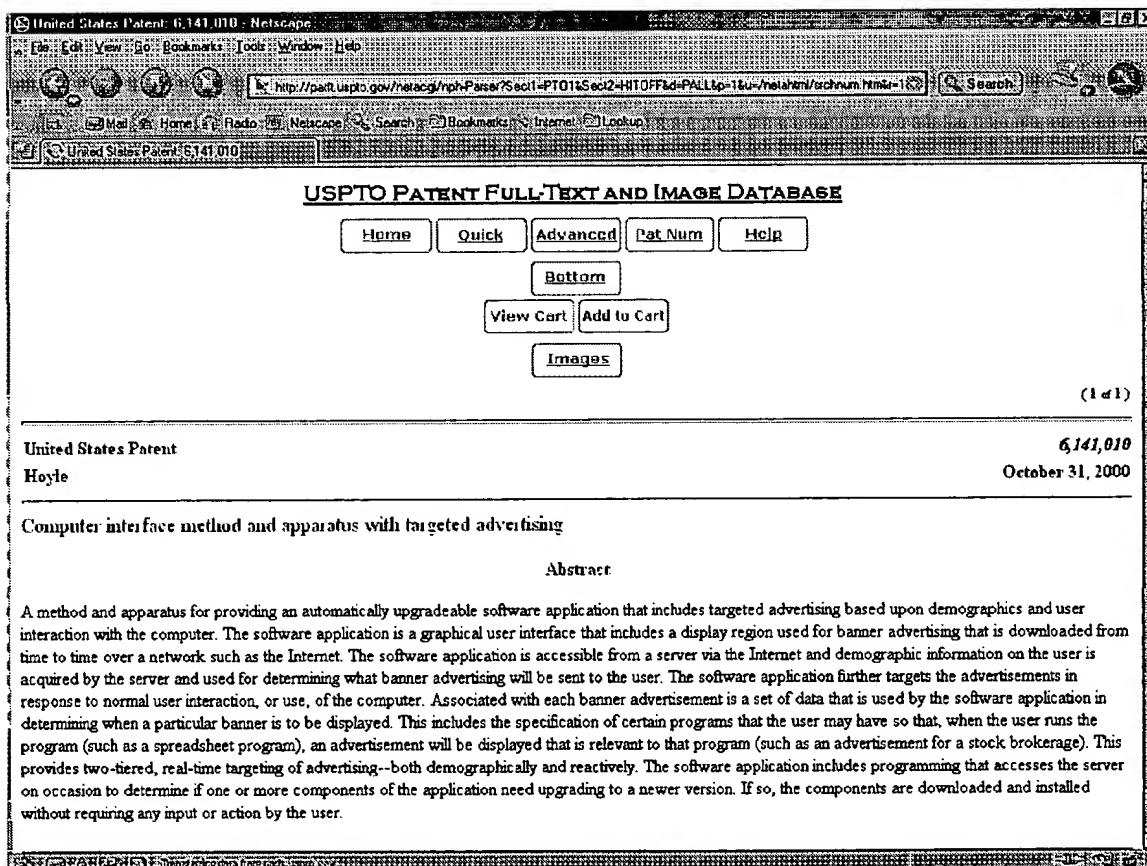
Relevant Claims are #1, 3, 16, 18 and others in which the inventor refers displaying ads or keywords stored at the client level as "campaign data" (0245) and displaying them based on triggering events. Descriptive paragraphs occur in (0007) (0008) (0032) (0044) (0053) (0056) (0057) (0075) (0076) (0079) (0197) (0206) (0245) and others.

I am objecting to this patent application as it is neither novel nor unique. It is of particular note that no prior art was submitted nor does the Application include references to systems that were commercially offered in 2001. The filers are correct that a targeted system based on voluntary user entries, user history and keywords is more accurate and excels in its ability to deliver "relevant" ads at the exact moment of interest. However, the filers did not include the following references:

1. US Patent 6,141,010 ... equivalent technology
2. Gator.com (recently changed to Claria.com) has been marketing such a system since 1998
3. WO9955066 (A1) or EP1076983 (A1) ... equivalent technology

There may be more prior art preceding the 9/29/2001 filing.

I believe the Examiner should look very closely at the Claim made and reject this Application that has been described in numerous prior art.



**CLARIA - Corporate Overview - Overview - Netscape**

File Edit View Go Bookmarks Tools Window Help

http://www.claria.com/companyinfo/

Mail Home Radio Search Bookmarks Internet Lookup

Close Corporate Overview Overview

**CLARIA**

**CORPORATE OVERVIEW**

**Overview**

**Claria Corporation Overview**

Claria Corporation is the leader in online behavioral marketing, serving over 38 million consumers and more than 900 Advertisers – including over 80 Fortune 1000 companies. Claria publishes advertising messages for top tier companies and agencies to consumers who are part of the GAIN Network. Claria's network of over 38 million consumers who agree to receive advertising based on their actual online behavior.

Unlike traditional demographic targeting, Claria's behavioral marketing model combines powerful insights into consumer behavior and the ability to deliver contextually targeted messages. The relevancy of the messages drives click-through and conversion rates up to 40 times higher than traditional banner ads – boosting campaign results to unprecedented levels. The difference is Claria's deep insights into consumer online behavior. Claria allows advertisers to target consumers based on their individual needs and interests resulting in industry leading ROI, not mass demographically targeted Web site populations.

In addition to its advertising network, Claria provides marketing research and business insights through its Feedback Research division. Feedback Research delivers in-depth analytics of consumer Web usage patterns across the entire internet that cannot be attained via any other research provider. It also provides full service custom marketing research to Fortune 1000 clients. With exclusive access to the GAIN Network's 38 million consumers, Feedback Research surveys hard to reach consumers, based on their individual online behavior, quickly and cost-effectively.

**History**

Claria was founded in 1998 as The Gator Corporation to deliver the promise of one-to-one marketing on the Internet. The guiding vision was to develop a massive consumer audience by offering valuable web/software content for free in exchange for the right to show highly targeted advertising based on consumers' anonymous surfing behavior. Launched in June 1999, the Gator eWallet was the company's first free ad-supported software product, and it quickly grew to become the most popular product in its category.

By November 1999, Claria had revolutionized the online advertising industry by introducing its contextual and behavioral relevant online advertising model. This new advertising method resulted in unparalleled ROI for advertisers.

Claria headquarters are located in Redwood City, California, with U.S. offices in Los Angeles, Chicago, New York, Detroit, Austin, and international offices in the U.K. and Asia. Claria is backed by top-tier venture capitalists such as Greylock, Technology Crossover Ventures, U.S. Venture Partners, In-Qwest, AR, and Crossfield Capital.

**esp@enet document view - Netscape**

File Edit View Go Bookmarks Tools Window Help

http://v3.espatenet.com/textdoc?IA=Zetmer&G=FIRST=1&C=ep1LG&enDB=EPDOC&et=A2kw=Zetmer&Submit=

Mail Home Radio Search Bookmarks Internet Lookup

Close esp@enet document view

**European Patent Office**

English Deutsch Français

**esp@enet**

**TELEPHONE CALL MANAGEMENT SOFTWARE AND INTERNET MARKETING METHOD**

**Bibliographic data**

**Patent number:** CA2328913

**Publication date:** 1999-10-26

**Inventor:** ZETMER, KARL D (US)

**Applicant:** ZETMER, KARL D (US)

**Classification:**

- International: I04/0200
- European:

**Application number:** CA19922328913 19990414

**Priority number(s):** US19990220141 19980417; WO1999U00102 19990414

**View INPADOC patent family**

**Abstract of CA2328913**

A telephone call management computer program that provides both call management features and long distance savings for telephone consumers and marketing and advertising services for sponsor companies that wish to advertise to the consumer is disclosed. The call management program is initially stored on a host computer (12) and is then downloaded upon request to user computers (22) along with advertisement banners selected by the sponsor companies. When used, the program automatically front-loads a long distance carrier's PIC code in front of all long distance calls made from the user computers to permit consumers to automatically make long distance phone calls at discounted rates without memorizing numerous PIC codes and without continually shopping for the best long distance rate. The program also provides many enhanced telephone calling options and displays the banners and other advertising directly on the user computers (22) while the consumers use the program.